

EXHIBIT R

(April 19, 2023 Caldaro and Lee email exchange)

Azima v. Del Rosso: Subpoena File No. 21623-1

Caldaro, Kristen <Kristen.Caldaro@firstcitizens.com>

Wed 4/19/2023 8:24 PM

To: clee@milchev.com <clee@milchev.com>

Cc: sbarney@milchev.com <sbarney@milchev.com>; John Branch
<john.branch@nelsonmullins.com>; Brandon Neuman <brandon.neuman@nelsonmullins.com>

◀External Email▶ - From: Kristen.Caldaro@firstcitizens.com

Good evening Mr. Lee,

Your below email was forwarded to the Legal Department for further assistance. In reviewing the docket, it appears the courts have not ruled on the Motion to Quash for the 2nd Subpoena; however, if that information is incorrect or the parties have reached an agreement, please let us know and we will handle accordingly.

Thanks,

Kristen Caldaro | Litigation Paralegal
Legal Department | First Citizens Bank
FCB Mail Code: FCC-22 | 4300 Six Forks Road | Raleigh, NC 27609

919.716.8034 phone

919.716.7518 fax



From: Lee, Calvin <clee@milchev.com>
Sent: Wednesday, April 19, 2023 4:50 PM
To: Best, Courtney <courtney.best@firstcitizens.com>
Cc: Barney, Sarah <sbarney@milchev.com>
Subject: [EXTERNAL] Azima v. Del Rosso: Subpoena File No. 21623-1

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Ms. Best,

We represent the plaintiff in the above captioned matter, Farhad Azima, in regards to a third party subpoena we issued First Citizens on March 23 which was due April 7. We just spoke with your colleague Whitney who informed us that First Citizens is withholding production due to Defendants' pending motion to quash the subpoena for the Vital Management Services bank records.

First Citizens has filed neither objections, nor its own motion to quash. Defendants' pending motion to quash does not alone alleviate the bank's independent production obligations under the Federal Rules and our subpoena really only asks for standard account records that should be readily obtainable.

I've attached our response filed on Monday in opposition to the motion to quash. We look forward to speaking later this week to discuss the production.

Sincerely,

Calvin

CALVIN LEE

Senior Associate | he/him/his | Miller & Chevalier Chartered
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